February 25, 2020

Board of Public Works & Safety
10 South State Street
Greenfield, IN 46140

Dear Members,

Attached is a Sanitary Sewer Easement from the Earl W & Mildred C Giddings Revocable Living Trust. This easement will be used to build the new sanitary sewer extension on the south side of US 40 to the Hancock County Jail.

I would like to request that the Board approve and accept the Sanitary Sewer Easement as presented. My office will record the documents with the County once it is signed and accepted.

Sincerely,

Jason A. Koch, P.E.
City Engineer
SANITARY SEWER EASEMENT

KNOWN ALL MEN BY THESE PRESENT, That Earl W & Mildred C Giddings Revocable Living Trust (hereinafter called “GRANTOR”), for and in consideration of Two-thousand four-hundred and 00/100 dollars ($3,000.00), does hereby grant and convey to the City of Greencastle (hereinafter called “GRANTEE”), an easement to lay, construct, maintain and operate a sanitary sewer, with all devices and appurtenances necessary for the proper construction or operation thereof, over, across, and under the surface of the following described real estate located in Hancock County, State of Indiana, to-wit:

(see “Exhibit A” attached hereto and made a part hereof)

GRANTEE shall have the right of ingress and egress over adjoining premises and lands at all times required by GRANTEE in order to lay, construct, maintain and operate a sanitary sewer with all devices and appurtenances necessary for the proper construction or operation thereof. GRANTEE agrees to restore the real estate, as nearly as possible, to the condition in which it existed prior to any construction and/or repair.

GRANTEE shall save GRANTOR harmless from damage occasioned by the operation or maintenance of said installations on said easement. The GRANTEE covenants to hold the GRANTOR harmless in the event that the sanitary sewer is damaged due to “natural events”.

It is further understood and agreed that no buildings, constructions, or trees and/or landscaping components shall be placed or be permitted to remain on said easement without the written consent of GRANTEE.

The GRANTOR hereby covenants that GRANTOR is the fee simple owner of the subject real estate, is lawfully seized thereof and has the legal right to grant and convey the foregoing easement therein. GRANTOR guarantees the quiet possession thereof to GRANTEE and GRANTOR will warrant and defend GRANTEE’s title to said easement against all lawful claims. The grant and all provisions of this easement shall constitute a covenant running with the land for the benefit of GRANTEE, its successors and assigns.

The undersigned persons executing this Easement on behalf of GRANTOR represent and certify that they are fully empowered to execute and deliver this Easement; and GRANTOR has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

In Witness Whereof, GRANTOR has caused this Easement to be executed this 12 day of FEBRUARY, 2020.

Earl W & Mildred C Giddings/Revocable Living Trust

STATE OF INDIANA

COUNTY OF HANCOCK

Before me, a Notary Public, in and for said County and State, personally appeared MILDRED C GIDDINGS, who acknowledged the execution of the foregoing Sanitary Sewer Easement, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 12 day of FEBRUARY, 2020.

Notary Public

My Commission Expires: 6/13/2020

County of Residence: Hancock
Accepted by the City of Greenfield Board of Public Works & Safety:

DATE: 

________________________
Chuck Fewell, Mayor, Chairman

________________________
Kathy Locke, Member

________________________
Kelly McClamon, Member

________________________
Larry J. Breese, Member

________________________
Glenna Shelby, Member

ATTEST:

________________________
Lori Elmore, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken responsible care to redact each social security number in this document, unless required by law. Jason A. Koch, P.E., City Engineer

This document prepared by Jason A. Koch, P.E.
Land Description - Easement - Giddings

(A part of Instrument Number 77-1037)

A part of Lot One in the Earl Giddings Minor Subdivision, also being a part of the East Half of the Southwest Quarter of Section 35, Township 16 North, Range 7 East in Center Township, Hancock County, Indiana, being more particularly described as follows:

Beginning at the Northwest corner of said Lot Two; thence North 84 degrees 46 minutes 44 seconds East (bearing system is based upon the Indiana State Plane East Zone Coordinate System) along the North line of said Lot Two a distance of 56.02 feet; thence North 87 degrees 22 minutes 14 seconds East along the North line of said Lot Two a distance of 98.00 feet; thence North 87 degrees 42 minutes 26 seconds East along the North line of said Lot Two a distance of 100.01 feet; thence North 87 degrees 09 minutes 34 seconds East along the line of said Lot Two a distance of 154.43 feet to the Northeast corner of said Lot Two; thence South 09 degrees 48 minutes 15 seconds East along the East line thereof a distance of 25.52 feet; thence South 87 degrees 01 minutes 11 seconds West parallel with the centerline of Old National Road a distance of 283.91 feet; thence North 02 degrees 58 minutes 49 seconds West a distance of 5.00 feet; thence South 87 degrees 01 minutes 11 seconds West parallel with the centerline of Old National Road a distance of 50.00 feet; thence South 02 degrees 58 minutes 49 seconds East a distance of 5.00 feet; thence South 87 degrees 01 minutes 11 seconds West parallel with the centerline of Old National Road a distance of 72.16 feet to the West line of said Lot Two; thence North 03 degrees 48 minutes 37 seconds West along the West line thereof a distance of 25.53 feet to the Beginning Point, containing 10,495 square feet, 0.24 acres more or less.

This land description was prepared in conjunction with the construction documents for the Hancock County Jail Project prepared by Cleland Environmental Engineering Project, No. 19-SN-01 and is based exclusively upon record deed information, and/or prior surveys of the subject premises or its parent as developed by Coor Consulting & Land Services, Corp., Job No. 2019-033.

Prepared For:
CITY OF GREENFIELD

Project Location:
“GIDDINGS”
E 1/2, SE 1/4,
SEC 35, T16N, R7E
HANCOCK COUNTY, INDIANA

Stephen M. Cooper
Indiana Registered Land Surveyor #S0557
Date: 9/12/2019

No. S0557
STATE OF
INDIANA
REGISTERED LAND SURVEYOR

EXHIBIT
JOB #: 2019-033
FILE #: 2019-033_EBM7.DWG
DATE: 9/12/2019
APPROVED BY: SMC
DRAWN BY: CMC

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